

SA:JMH
F.#2015R01172

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

STIPULATION AND ORDER

- against -

Cr. No. 15-531 (ILG)

JACQUES DURAND,

Defendant.

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IT IS HEREBY STIPULATED AND AGREED by and between the UNITED STATES OF AMERICA, by Assistant United States Attorney J. Matthew Haggans, and the defendant JACQUES DURAND, by his attorney Jeffery L. Greco, Esq., and ORDERED by the Court, pursuant to Federal Rule of Criminal Procedure 16(d), that:

1. Any and all discovery material containing information of the type identified in Rule 49.1(a) of the Federal Rules of Criminal Procedure ("discovery material") produced to the defendant and defense counsel by the government in the above-captioned case, and any and all copies, notes, transcripts, documents or other information derived or prepared from the discovery material, may be used by the defendant and defense counsel only for purposes of preparing and defending the case, including but not limited to trial, sentencing, any appeal and any collateral attack, involving the charges in the above-captioned case;

2. Any and all discovery material produced to the defendant and defense counsel by the government and any copies, notes, transcripts, documents or other information derived or prepared from the discovery material, shall not be further

disseminated by the defendant or defense counsel to any individuals, organizations or other entities (other than legal staff of the defense counsel or investigators/agents retained by defense counsel) unless they have been provided a copy of and signed this Stipulation and Order, without further Order of the Court;

3. Where the defendant and/or defense counsel wish to disclose any portion of the discovery material or any copies, notes, transcripts, documents or other information derived or prepared from the discovery material, to any individual other than a member of the legal staff, including project analysts, paralegals and IT staff, of defense counsel or investigators/agents retained by defense counsel, defense counsel must redact any identifying information from the document, namely, address, telephone number, email address, date of birth, Social Security number, and any financial account number, or if defense counsel does not wish to redact the document, must make an application to the Court for authorization to make such disclosure, and either (i) notify the government sufficiently in advance of the contemplated disclosure to permit briefing and argument on the propriety of such disclosure; or (ii) inform the Court in writing why it should decide the application ex parte without notice to the government;

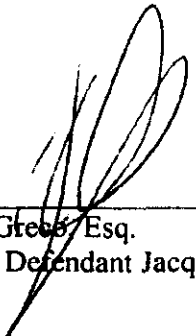
4. Nothing in this Stipulation and Order shall preclude the government from seeking a further protective order pursuant to Rule 16(d) as to particular items of discovery material;

5. If the defendant obtains substitute counsel, the undersigned defense counsel will not transfer any portion of the discovery material or any copies, notes, transcripts, documents or other information derived or prepared from the discovery material unless and until substitute counsel enters into this Stipulation and Order;

6. Defense counsel will destroy or return to the government the discovery material and all copies thereof, whether in the possession of defense counsel (or his or her legal staff) or any investigator/agent retained by defense counsel who has signed this Stipulation and Order, at the conclusion of the trial if the defendant is acquitted on all counts or, in the case of a conviction either at trial or by a guilty plea, upon completion of any sentencing, appeal or collateral attack on the conviction made by the defendant, with the exception that defense counsel may retain one copy set for its records provided the defendant is given access to that copy set; and

7. Any violation of this Stipulation and Order, as determined by the Court, will require, in addition to any other sanction deemed appropriate by the Court, the immediate destruction of or return to the United States of the discovery material and all copies thereof.

Dated: Brooklyn, New York
FEB. 23, 2016



Jeffery L. Green, Esq.
Counsel to Defendant Jacques Durand


By:

ROBERT L. CAPERS
United States Attorney
Eastern District of New York



J. Matthew Haggans
Assistant U.S. Attorney

SO ORDERED.



THE HONORABLE I. LEO GLASSER
UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF NEW YORK